

## REMARKS

The Examiner has required a restriction to one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1-13, drawn to a method of identifying a peptide which binds heat shock protein comprising contacting with a phage display library;
- II. Claims 14-15 and 19-27, drawn to a conjugate peptide comprising a tether and an antigenic peptide; or
- III. Claims 16-18 and 28-30, drawn to a method of inducing an immune response in a subject comprising administering conjugate peptide comprising a tether and an antigenic peptide.


The Examiner contends that the inventions are distinct each from the other.

Preliminarily, Applicants respectfully point out that only claims 16-18 and 28-30 are pending in the above-identified application, since claims 1-15 and 19-27 were cancelled in a Preliminary Amendment filed January 17, 2002. A copy of the postcard receipt stamped by the Patent Office with a date of January 17, 2002, evidencing the filing of the Preliminary Amendment, and a copy of the Preliminary Amendment are enclosed herewith. Accordingly, since only claims of Group III are pending in the above-identified application, Group III has been constructively elected. Nevertheless, in order to be fully responsive to the Restriction Requirement, Applicants hereby elect with traverse the invention of Group III, claims 16-18 and 28-30.

Applicants respectfully request that the above-made remarks and amendments be entered and made of record in the file history of this application.

Respectfully submitted,

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Adriane M. Antler 32,605  
(Reg. No.)  
**JONES DAY**  
222 East 41<sup>st</sup> Street  
New York, New York 10017  
(212) 326-3939

Enclosures

the stamp of the Patent Office hereon, may be taken as acknowledging the receipt, on the date stamped, of **JC821 U.S. PTO 10/053520**  
**DIVISIONAL** PATENT APPLICATION of **ROTHMAN, et al.** **01/17/02**

Title **CONJUGATE HEAT SHOCK PROTEIN-BINDING PEPTIDES**

Specifications <u>83</u>	Assignment _____
No. of claims <u>6</u>	Recording fee \$ _____
No. of drawings <u>41</u>	Authorization to charge Dep. Acct. _____
Declaration <u>COPY</u>	Priority Document _____
Filing fee \$ <u>740.00</u>	Preliminary Amendment <u>yes</u>
Non-Publications request _____	Small Entity <u>NO</u>

**EPC** **11746/46004** **1/17/02**